BYLAWS
FOR LOCAL PTA/PTSA UNITS

00032119
National PTA
Identification Number

4974
~~California State PTA~~
Identification Number

~~Milpitas High School PTSA~~
Name of Association

Milpitas Unified Council of PTAs
Council PTA

~~Sixth~~ District PTA

1285 Escuela Parkway
Address of School - Street

Milpitas, 95035
City - Zip Code

Ninth-Twelfth Grades
Grades In School

August 30, 1993
Organization Date of This Association

2017

REVISED JUNE 2017

California State PTA®
everychild. onevoice.

BYLAWS

for PARENT-TEACHER ASSOCIATIONS and PARENT-TEACHER-STUDENT ASSOCIATIONS

These bylaws outline the essential structure and specific regulations to govern parent-teacher associations and/or parent-teacher-student associations in the state of California. They may be modified to meet the needs of the association.

Refer to page i for procedures to follow for a bylaws review and to pages ii-iv for instructions for completing the standard bylaws.

MISSION STATEMENT OF THE CALIFORNIA STATE PTA

The mission of the California State PTA is
to positively impact the lives of all children and families.

California State PTA Board of Managers, August 2013

CALIFORNIA STATE PTA
2327 L Street, Sacramento, CA 95816 916.440.1985 • FAX
916.440.1986 • www.capta.org • E-mail: info@capta.org

PROCEDURES FOR BYLAWS REVIEW

Standard bylaws are updated and reprinted at least once a year. The cover sheet color changes at least once during every two-year term. Current bylaws are available for purchase from the List of PTA Materials found on the California State PTA website www.capta.org. Many council and district PTAs also maintain a supply of bylaws for purchase. See Article XVI - Amendments on pp. 22-23 for bylaws amendment requirements.

REVIEW PROCESS

1. The president appoints a bylaws review committee (3-5 people) chaired by the parliamentarian.
2. Using the "Instructions for Completing the Standard Bylaws" (page ii) the committee reviews the bylaws to see if any changes are necessary and then completes a set of the most current edition of Bylaws for Local PTA/PTSA Units.
3. The parliamentarian consults with the council or district PTA parliamentarian regarding how to complete a section or make a desired change.
4. The committee prepares a detailed list of proposed amendments.
5. The committee presents to the executive board the recommendation that no changes be made or the list of proposed amendments to be forwarded through channels to the California State PTA parliamentarian for approval. An update to the most current version of the bylaws with no changes still requires that the bylaws be forwarded to the California State PTA parliamentarian for review and signature.
6. The executive board votes and the outcome is recorded in the minutes.
7. The parliamentarian keeps one copy of the bylaws for reference.
8. The parliamentarian submits the detailed list of proposed amendments (if any) along with one original set and four (4) copies of the bylaws and standing rules through council and district PTA channels to the California State PTA parliamentarian. Out-of-council associations submit directly to the district PTA.
   [NOTE: Please verify with the district PTA how many copies to send.] 9.

District PTA may have additional requirements or fees.

WHEN BYLAWS ARE RETURNED:

1. The California State PTA parliamentarian returns signed bylaws and standing rules to the association through district and council PTA channels.
2. Upon receipt of the state-approved bylaws and standing rules, an association meeting is scheduled to adopt the amendments to the bylaws. Members must be notified of the meeting at least thirty (30) days in advance and a list of the proposed amendments must be included with the notice.
3. A two-thirds (2/3) vote at an association meeting is required to adopt the amendments.
4. After the association adopts the amendments, the secretary and president sign and date the master set of the bylaws, which is kept by the secretary. Other copies are signed by the secretary and president and kept by the president and parliamentarian. Two signature pages are returned to council, or one copy to district PTA if the association is out-of-council.
5. Additional copies of the bylaws and standing rules are made for the procedure books of each member of the executive board, including the principal. A copy of these bylaws shall be made available to any member of the association upon request.

UNSIGNED BYLAWS

If the bylaws and standing rules are returned by the California State PTA parliamentarian unsigned, the PTA must make the required changes and resubmit the bylaws and standing rules through channels.

INSTRUCTIONS FOR COMPLETING THE STANDARD BYLAWS

The current standard bylaws MUST be used when submitting bylaws for approval. The California State PTA prints the date on the front cover and at the bottom of each page. USING OUTDATED STANDARD BYLAWS IS CAUSE FOR THE BYLAWS TO BE RETURNED UNSIGNED.

Bylaws and standing rules may be modified to meet the needs of the association. Use of the e-Bylaws system found on the California State PTA website is encouraged. Standard bylaws are available in printed form or fillable pdf. ANY VERSION OTHER THAN THE STANDARD VERSION WILL NOT BE ACCEPTED. The bylaws are a legal document and additions and/or bylaws changes must be written legibly in blue or black ink or typed. Do not use pencil, blank marker or any other ink color. All blanks must be completed or lined out. Additional copies of the e-Bylaws or standard bylaws may be photocopied using the legal, double-sided format.

1. DO NOT ALTER, CHANGE, OR ADD TO ANY ARTICLES OR SECTIONS WITH STARS except for completing blank lines. Authority for the articles and sections marked with stars are from the California State PTA bylaws (***) or are required by the Corporation Code of the State of California (**) and shall be included in all unit bylaws.

2. Several sections refer to information in the California State PTA Toolkit and MAY NOT BE ALTERED. These are policies or procedures of the California State PTA. See Article XII, Section 3.

3. Words in italics indicate certain optional provisions and SHOULD BE LINED OUT when not applicable.

4. To line out, neatly draw a single straight horizontal line through each word and/or sentence which does not apply. Do not use a slash or an X to strike. Do not use white-out or a wide-tipped marker.

5. Words in brackets [ ] are for information or directions only. They have been pre-lined out, e.g., _____ [~~month~~], but you must follow the directions given in them.

6. Use the association's full legal PTA or PTSA name on the cover: Selena Sloan Butler PTA not Butler PTA; or Phoebe Apperson Hearst High School PTSA, not Hearst High PTSA. The association name is located on the charter.

7. Spell out all words; do not use abbreviations, e.g., Sept - September; 2nd - second; VP - vice president. Use the long form for dates - February 7, 2016.

8. Write numbers as words and place figures in parenthesis, e.g., one (1); twenty (20), five dollars ($5.00); twenty-five cents ($0.25). Do not duplicate words already included in the printed text.

9. The following articles and sections require special attention:

   a. Article I (p. 1) - If out-of-council, line out "of the" and insert "out of" in blank.
   b. Article IV, Section 4 (p. 3) - Line out unused blanks. Consult with council/district parliamentarian regarding faculty, student and/or family memberships or membership/donations.

c. Article V, Section 3c (p. 5) - With a nominating committee of three elected members, a majority would be 2 members. Two members would be charting the course for the PTA for the coming PTA term. Consider a larger group (5-7 members) for a more representative committee.

d. Article V, Section 3g (p. 5) must agree with Article V, Section 6 (p. 6) and Article VII, Section 1 and
2 (p. 13). Set the election month early enough to allow the president-elect to attend the California State PTA Convention held in late April/early May (Article V, Section 8 (p. 6)) and meet the council/district deadline for directory data (Article VI, Section 1e (p. 7)).

e. Article VI, Section 2 (p. 7) - Use this section for an executive vice president or a vice president if there is no executive vice president and only one vice president.

f. Article VI, Section 4 (p. 8) and Section 5 (p. 8) - If there is only one secretary, line out corresponding secretary and combine these sections and renumber subsequent sections.

g. Along with the president, the Article VI, Sections 5b (p. 9), 5n (p. 10), and 5o (p. 10) - If out of council, line out ONLY the last sentence, substituting the italicized sentence that follows.

h. Article VI, Section 6 (p. 10) - The mid-year audit is required approximately halfway through the fiscal year. The year-end audit must be completed immediately following the end of the fiscal year. (For example, if the fiscal year ends June 30, the year-end audit must be completed in July. The mid-year audit would be completed in December or January.) A third audit is required at the end of the officer term of office when the term of office is different from the fiscal year.

i. Article VI, Section 6 (p. 10) - The months for adoption by the association must agree with association meeting months in Article VII, Section 1 (p. 13).

j. Article VII, Section 1 (p. 13) - Set the first meeting of the school year early enough to assure that the PTA program and budget are approved by the association prior to beginning PTA programs or expending PTA funds (Article VII, Section3 (p. 14)).

k. Article VII, Section 2 (p. 14) must agree with Article V, Section 3g (p. 5) and Section 6 (p. 6) and Article VII, Section 1 (p. 13). Set the election month early enough to allow the president-elect to attend the California State PTA Convention held in late April/early May (Article V, Section 8 (p. 6)) and to meet the council/district deadline for directory data (Article VI, Section 1e (p. 7)).

l. Article VII, Section 5b (p. 14) - The voting power of the association is equal to all members as stated in Article VII, Section 6 (p. 14). The quorum must assure general member participation beyond that of the executive board. The minimum quorum for an association meeting is the number of officers plus four (4) or eleven (11), whichever is greater. Officers are listed in Article V, Section 2 (p. 5). In order to ensure that there is participation by standing committee chairmen in association meetings, the following calculation will determine the number to add to the quorum. If there is a combination of ten (10) or more standing committee chairmen and or appointed direcotrs, that number will be divided by two (2) and added to the association quorum.

m. Article VIII, Section 1 (p. 15) - Standing committees are those committees that function all year, e.g. hospitality, membership, program, ways and means, fundraising, etc. Standing committees are listed in Standing Rule #10 (p. 26).

n. Article VIII, Section 2c (p. 15) - Guidelines for the expenditure of unbudgeted funds is as follows (California State PTA Toolkit, Unbudgeted Expenditures): i.
Eight or more association meetings per year - up to $500.00 ii.
Five to seven association meetings per year - up to $750.00 iii.
Four or fewer association meetings per year - up to $1000.00

o. Article VIII, Section 7b (p. 16) - The minimum quorum for an executive board meeting is based on the number of executive board members, including the principal and teacher representative (majority = more than half) or five (5) whichever is greater.

p. Article X (p. 18) - Consult with council parliamentarian to verify agreement with council bylaws.

q. Article XIII (p. 21) - Attach copy of articles of incorporation, if an incorporated association.

r. Article XIV, Sections 3 (p. 23), 4 (p. 23), 5 (p. 23), and 6 (p. 23) - Associations are required by law to have a federal Employer Identification Number (EIN), and a state Franchise Tax Board (FTB) number and Registry of Charitable Trust (CT) number, and are required to file annual forms with the appropriate agency. Insert the corporation number if the association is incorporated. Contact your district PTA for assistance.

s. Standing Rules (p. 26 and following) must be attached and may not conflict with or supersede bylaws. Do not restate bylaws or Toolkit sections in the standing rules.

t. Standing Rule 10 (p. 26). Standing committees are those committees that meet all year long, e.g. membership, health and safety, and hospitality. The chairman of a standing committee is a member of the executive board. In order to ensure that there is participation by standing committee chairmen in executive board meetings, the following calculation will determine the number to add to the quorum. If there are ten (10) or more standing committees that number will be divided by two (2) and added to the calculations for the executive board quorum.

BYLAWS FOR LOCAL PTA/PTSA UNITS

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BYLAWS

ARTICLE I – NAME

The name of this association is Milpitas High School PTSA,

a Parent-Teacher-Student Association, hereinafter referred to as the "association", located in the city of

Milpitas, a local association of the Milpitas Unified Council,

Sixth District of the California Congress of Parents, Teachers, and Students, Inc. (California State PTA), a branch of the National Congress of Parents and Teachers (National PTA).

***ARTICLE II – PURPOSES

SECTION 1.

The purposes of this association, in common with the purposes of the National PTA and the California State PTA, are:

a. To promote the welfare of children and youth in home, school, places of worship, and throughout the community.

b. To raise the standards of home life.

c. To advocate for laws that further the education, physical and mental health, welfare, and safety of children and youth;

d. To promote the collaboration and engagement of families and educators in the education of children and youth;

e. To engage the public in united efforts to secure the physical, mental, emotional, spiritual, and social well-being of all children and youth; and

f. To advocate for fiscal responsibility regarding public tax dollars in public education funding.

SECTION 2.

The purposes of this association are promoted in cooperation with the National PTA and the California State PTA through an advocacy and educational program directed toward parents and teachers and the general public; developed through conferences, committees, projects and programs; and governed and qualified by the basic policies set forth in Article III.

SECTION 3.

This association is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding Section of any future Federal tax code (hereinafter "Internal Revenue Code").

***ARTICLE III – BASIC POLICIES

The following are basic policies of the National PTA, the California State PTA and this association:

a. The organization shall be noncommercial, nonsectarian and nonpartisan;

b. The organization shall work with the schools and community to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education, state education authorities, and local education authorities;

c. The organization shall work to promote the health and welfare of children and youth and shall seek to promote collaboration between parents, schools and the community at large;

d. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof;

e. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code;

f. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to one or more nonprofit funds, foundations, or organizations that have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with those of the National PTA;

g. The organization or members in their official capacities shall not - directly or indirectly - participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise;

h. The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the purposes of the organization;

i. The organization shall not enter into membership with other organizations except such international, national or state organizations as may be approved by the California State PTA. The California State PTA or any of its divisions may cooperate with other organizations and agencies concerned with child welfare, but a PTA/PTSA representative shall make no commitments that bind the group he represents.

ARTICLE IV – MEMBERSHIP AND DUES

★★★SECTION 1.

Every individual who is a member of this association is, by virtue of that fact, a member of the National PTA and of the California State PTA by which this local association is chartered, and is entitled to all benefits of such membership.

★★★SECTION 2.

Membership in this association shall be made available by such local association, without regard to race, color, creed or national origin, under such rules and regulations not in conflict with the provisions, the Bylaws of the National PTA or the Bylaws of the California State PTA, as may be prescribed in the bylaws of this local association, to any individual who subscribes to the purposes and basic policies of the National PTA.

★★★SECTION 3.

The association shall conduct an annual enrollment of members but may admit persons to membership at any time.

SECTION 4.

Each member of the association shall pay annual dues of ten dollar(s) ~~and~~ _____ ~~cents~~ ($ 10.00) per member (also means per capita) to the association.

***a. Such annual dues shall include the portion of two dollars and twenty-five cents ($2.25) per member payable to the National PTA.

***b. Such annual dues shall include the portion of two dollars ($2.00) per member payable to the California State PTA.

c. Such annual dues shall include the portion of _____ ~~dollar(s) and~~ fifty cents ($ 0.50) per member payable to Sixth District.

d. Such annual dues shall include the portion of _____ ~~dollar(s) and~~ twenty-five cents ($ 0.25) per member payable to Milpitas Unified Council.

e. Each association shall forward to the council per capita dues of five dollar(s) ~~and~~ _____ ~~cents~~ ($ 5.00) annually.

~~[Out-of-council associations should substitute the following.]~~

~~e. Each out-of-council association shall forward to the district per capita dues of dollar(s) and _____ cents ($_____) annually.~~

~~f.~~ The remainder shall constitute the local portion of each member's dues and shall remain in this association.

~~★★★~~SECTION 5.

The national and state portions of the dues paid by each member to this association shall be set aside by this association for the National PTA and the California State PTA and remitted through council and district financial officers as provided for in the state bylaws.

SECTION 6.

Dues shall be remitted on a timely basis and at least monthly in accordance with council, district and state bylaws.

SECTION 7.

To qualify for state membership awards, a qualifying remittance of council, district, state and national portions of the dues paid by each member to this association shall be remitted through council by October 1 ~~[insert council deadline]~~.

~~[Out-of-council associations should substitute the following.]~~

~~To qualify for state membership awards, a qualifying remittance of district, state and national portions of the dues paid by each member to this association shall be remitted to the district by _____ [insert district deadline].~~

SECTION 8.

To remain in good standing, a remittance of council, district, state and national portions of the dues paid by each member to this association shall be remitted through council by October 15 ~~[insert council deadline]~~.

~~[Out-of-council associations should substitute the following.]~~

~~To remain in good standing, a remittance of district, state and national portions of the dues paid by each member to this association shall be remitted to the district by November 15.~~

SECTION 9.

Remittances shall be accompanied by a statement showing the name and location of this association, the amount other than that retained by this association and the number of members included on this remittance statement.

SECTION 10.

If this association fails to forward that portion of its per capita dues by November 15, it forfeits representation at council and district meetings until the amount has been paid.

ARTICLE V – OFFICERS AND THEIR ELECTION

★★★SECTION 1.

Each officer or board member of this association shall be a member of this association.

SECTION 2.

The officers of this association shall be a president, executive vice president, one (1) vice president(s), ~~recording~~ secretary, ~~corresponding secretary,~~ treasurer, ~~financial secretary, auditor,~~ historian and parliamentarian. These officers shall be elected annually with the exception of ~~the corresponding secretary and~~ the parliamentarian, who shall be appointed by the president subject to the ratification of the executive board.

SECTION 3.

***a. Nominations for office shall be made by a nominating committee which shall be elected by the association.

b. The nominating committee shall be elected at least two months prior to the annual election meeting. The committee shall serve until the annual election meeting.

c. The nominating committee shall be composed of three (3) member(s), with one (1) alternate(s), all of whom shall be members of this association. The principal of the school, or a faculty representative appointed by the principal, if not an elected member of the committee, shall serve in an advisory capacity. The president shall not serve ex officio or be elected to the nominating committee. The committee shall elect its own chairman.

d. No member shall serve on the nominating committee for two (2) consecutive years. (See Electing the Nominating Committee, Running Your PTA section, California State PTA Toolkit.)

e. Immediately upon its election the parliamentarian shall meet with the nominating committee to set the date of its first meeting. (See Article VI, Section 8 (p. 12).)

f. Alternates shall not attend meetings unless an elected member cannot be present at the first meeting. In that event, the alternate becomes the permanent member, replacing the elected member until such time as the committee is discharged of its duties (at the time of election).

g. The report of the nominating committee shall be submitted to the membership at least twenty-eight (28) days prior to the annual election meeting. At the annual election meeting in March ~~[month]~~ additional nominations must be called for from the floor.

~~[Incorporated associations must also include a section on Nominations by Petition. See California State PTA Bylaws, Article XII.]~~

★★★SECTION 4.

***a. The privilege of holding office shall be limited to members of the association whose dues are paid and who have been members of the association for at least thirty (30) days previous to nomination.

b. Individuals who are current members in any PTA or PTSA school in good standing must pay dues to this association upon nomination to office in order to qualify as members at the time of election.

SECTION 5.

***a. Only those persons who are eligible and who have signified their consent to serve if elected shall be nominated for or elected to office.

***b. Nominees for the offices of president, treasurer, ~~financial secretary,~~ auditor, or any elected officer authorized to sign checks shall not be related by blood or marriage or reside in the same household.

SECTION 6.

Election shall be held by ballot at the annual election meeting in March ~~[month]~~. If there is but one nominee for any office, the ballot for that office may be dispensed with and the election held by voice vote.

SECTION 7.

Officers shall serve for a term of one (1) year or until their successors are elected. (In the event that no successor is elected, the position is declared vacant. Vacant positions must be filled by the executive board-elect or executive board, per Article V, Section 10 and Section 11). No officer shall be eligible to the same office for more than two consecutive terms or hold more than one elected or appointed office. Officers shall assume their duties on July 1 ~~[exact date, recommended to coincide with fiscal year]~~. No officer shall serve past the start of the next term unless elected to serve in that term. A person who has served in an office for more than six months of a full term shall be deemed to have served a full term in such office.

SECTION 8.

The president-elect shall be entitled to be a delegate to the annual California State PTA Convention. An alternate and all other delegates to which the association is entitled shall be elected at an

association meeting prior to convention. (See California State PTA Bylaws, Article XV - Annual Convention, Section 5.)

SECTION 9.

The president-elect may call meetings of the officers-elect and the principal of the school, or a representative appointed by the principal, as necessary to ratify the appointments of appointed officers and chairmen of committees, to fill vacancies on the board-elect and to make plans for the coming year's work.

SECTION 10.

If an office remains unfilled after election, it shall be considered a vacant office to be filled by the board-elect.

SECTION 11.

A vacancy occurring in any office shall be filled for the unexpired term by a person elected by the executive board. Election to fill a vacancy shall require a majority vote of the executive board, with at least ten (10) days' previous notice. If notice is not given, the election to fill the vacancy shall require a two-thirds (2/3) vote. The executive vice president / ~~first vice president [choose one]~~ shall serve notice of the election to the executive board, in case a vacancy occurs in the office of president. (Refer to Article VIII, Section 2f.)

ARTICLE VI – DUTIES OF OFFICERS

SECTION 1.

The president shall:

a. Coordinate the work of officers and committees of the association in order that the purposes may be promoted.

b. Preside at all meetings of the association and the executive board.

c. Be a member ex officio of all committees except the nominating committee.

d. Appoint ~~the corresponding secretary,~~ the parliamentarian, the chairmen and members of committees, subject to the ratification of the executive board.

e. Prepare the list of association officers and chairmen required for directory data and submit through channels as directed by council ~~/ district [choose one]~~. The deadline for directory data to council ~~/ district [choose one]~~ is May 1 ~~[council deadline if in council, district deadline if out-of-council]~~.

f. Sign all authorizations for payment as required by the executive board or association. (See Check Request System, Payment Authorization, Finance section, California State PTA Toolkit.)

g. Be responsible for preparing the association annual report required by the California State PTA.

h. Be the official representative of the association at council and district meetings.

i. Have all newsletters, flyers and/or notices approved by the principal, prior to distribution.

j. Have all contracts and/or legally binding documents approved by the association, prior to signing a contract along with another elected officer. (See Contracts, Finance section, California State PTA Toolkit.)

k. Be authorized to sign checks, and not be related by blood or marriage or reside in the same household as the other authorized signers for the association's financial accounts.

l. Perform such other duties as may be prescribed in these bylaws or assigned by the association.

SECTION 2.

~~[Where there is no executive vice president, lineout Section 2 and renumber subsequent sections.]~~

The executive vice president shall:

a. Serve as the primary aide to the president.

b. Perform the duties of the president in the absence or disability of that officer to act.

c. Perform such other duties as may be prescribed in these bylaws or assigned by the association.

SECTION 3.

The additional vice president~~(s)~~ shall act as aide~~(s)~~ to the president and executive vice president and shall~~, in their designated order,~~ perform the duties of the president in the absence or disability of that officer to act.

The first vice president shall serve as Chairperson of Operations

~~The second vice president shall serve as~~ _____;

~~The third vice president shall serve as~~ _____;

~~The fourth vice president shall serve as~~ _____;

~~The fifth vice president shall serve as~~ _____;

~~The sixth vice president shall serve as~~ _____;

~~[Additional duties of each vice president shall be placed in the Standing Rules.]~~

SECTION 4.

~~[Where there is but one secretary, combine Sections 4 and 5 and renumber the subsequent sections.]~~

The ~~recording~~ secretary shall:

a. Keep an accurate record of the proceedings of all meetings of the association and the executive board in a bound book which is the legal record of this association.

b. Be prepared to refer to minutes of previous meetings.

c. Prepare a list of all unfinished business for the use of the president.

d. With the president, sign all authorizations for payment authorizing the expenditure of funds following approval by the association or executive board in accordance with these bylaws. (See Check Request System: Payment Authorization, Finance section, California State PTA Toolkit.)

e. Record all expenditures in the minutes.

f. Keep a current list of the paid members of the association provided by the membership chairman.

g. Keep a current signed original set of the bylaws and standing rules.

h. Perform such other duties as may be delegated to the secretary.

~~SECTION 5.~~

~~The corresponding secretary shall:~~

i. Conduct all necessary correspondence of the association upon authorization of the president, executive board or association.

j. Notify officers of their election and chairmen of their appointments.

k. Send out notices of executive board meetings

SECTION 5.

The treasurer shall:

***a. Keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the association, including specifically, the number
of members, the dues collected from the members and the amount of dues remitted through channels to the California State PTA. Such books of account and records shall at all reasonable times be open to inspection by an authorized representative of the California State PTA.

b. Chair the budget committee and prepare the budget for adoption by the association. (See Budgeting and Fundraising, and Sample Financial Calendar of Activities, Finance section, California State PTA Toolkit.) Forward two (2) copies of the adopted budget to Milpitas Unified Council.

~~[Out-of-council associations should substitute the following for the last sentence.]~~

~~Forward one (1) copy of the adopted budget to _____ District PTA.~~

c. Contact the bank to secure signatures of all authorized signers on all checking and savings account signature cards and file with the bank immediately upon taking office (see h below).

d. Receive monies ~~from the financial secretary~~ for the association, giving a receipt therefore, and deposit immediately in the name of the association in a bank approved by the executive board.

e. Receive and retain a copy of the deposit slip for any deposit made.

(See Article XIV – IDENTIFICATION NUMBERS AND FISCAL YEAR)
NOTE: The dishonesty bonding insurance may require additional rules to follow.

~~SECTION 6.~~

~~[Where there is no financial secretary, lineout Section 7 entirely and renumber subsequent sections.]~~

~~The financial secretary shall:~~

~~a. Give a receipt for monies received for the association and remit at once to the treasurer or deposit immediately in a bank approved by the executive board and give a copy of the deposit slip to the treasurer.~~

~~b. Keep an accurate record of all receipts for filing with the treasurer's financial records for the association.~~

~~c. Present a monthly report at every meeting of the association and the executive board and at other times when requested by the association. (See Financial Officers' Reports and Forms, Finance section, California State PTA Toolkit.)~~

~~d. Make an annual report to the association. (See Financial Officers' Reports and Forms, Finance section, California State PTA Toolkit.)~~

~~e. Perform such other duties as may be delegated to the financial secretary.~~

SECTION 6.

~~[Where the auditor is appointed by the executive board, include the following paragraph.]~~

An auditor shall be appointed by the executive board and ratified by the association at the September ~~[month]~~ meeting. The auditor shall not be an officer of the association or a member of the executive board.

The auditor shall:

***a. Audit the books and financial records of the association semiannually.

b. Prepare a midyear audit to be completed in January ~~[month half-way through fiscal year]~~. Present a written report to the executive board at the February ~~[month]~~ meeting for review and to the association at the February ~~[month, see Article VII, Section 1]~~ meeting for adoption.

f. Prepare all authorizations for payment as required by the executive board or the association (See Check Request System: Payment Authorization, Finance section, California State PTA Toolkit).

g. Upon receipt of a signed payment authorization form signed by the president and the ~~recording~~ secretary, pay all bills as authorized by the executive board or the association. (See Check Request System: Payment Authorization, Finance section, California State PTA Toolkit.)

h. Secure two signatures on all checks. Any two of the following are authorized to sign: president, treasurer and ~~Executive Vice President~~ _____ ~~[elected officer other than the secretary or auditor]~~. The authorized signers shall not be related by blood or marriage or reside in the same household. (See Banking, Finance section, California State PTA Toolkit.)

***i. Individuals counting cash/checks shall not be related by blood, marriage or reside in the same household.

j. Keep an accurate record of receipts and disbursements in a ledger which is a permanent record of this association. All other financial records must be retained for seven years including the current year.

k. Keep the membership informed of expenditures as they relate to the budget adopted by the association.

l. Remit all council, district, State and National portions of per capita dues monthly to the financial officer of the council/~~district~~ ~~[choose one]~~.

m. Present a treasurer's report at every meeting of the association and the executive board and at other times when requested by the association. (See Financial Officers' Reports, Finance section, California State PTA Toolkit.)

n. Be responsible for filling out and forwarding all necessary report forms required by the California State PTA for insurance, and for filing all tax returns and other forms required by government agencies. This includes employee reporting forms, if this association pays employees; and independent contractor reporting forms, if this association hires independent contractor(s). Forward two (2) copies of all government filings to Milpitas Unified Council.

~~[Out-of-council associations should substitute the following for the last sentence.]~~

~~Forward one (1) copy of all government filings to _____ District PTA.~~

o. Make an annual financial report to the association which includes gross receipts and disbursements for the year. Forward two (2) copies of the annual financial report to Milpitas Unified Council.

~~[Out-of-council associations should substitute the following for the last sentence.]~~

~~Forward one (1) copy of the annual financial report to _____ District PTA.~~

c. Prepare a year-end audit to be completed in July ~~[month immediately following end of fiscal year]~~. Present a written report to the executive board at the September ~~[month]~~ meeting for review and to the association at the September ~~[month]~~ meeting for adoption. (NOTE: The audit at the end of a term is performed by the outgoing auditor. See Financial Officers' Reports and Forms, Finance section, California State PTA Toolkit.)

~~[Associations whose fiscal year and officer term of office begin in the same month should line out the following and reletter the succeeding subsections.]~~

d. ~~Prepare an end of term audit to be completed in [month immediately following end of term of office]. Present a written report to the executive board at the [month] meeting for review and to the association at the [month] meeting for adoption.~~

d. Audit the books upon resignation of the treasurer, ~~financial secretary~~ or any check signer and at any time deemed necessary.

e. Not be related by blood or marriage or reside in the same household as the financial officers and/or authorized signers of checks.

f. Be responsible for verifying on the Audit Report Form that all necessary report forms required by the California State PTA for insurance, and tax returns and other forms required by state and federal government agencies have been completed and filed by the due date.

***g. Forward two (2) copies of the adopted audits to Milpitas Unified Council.

~~[Out-of-council associations should substitute the following for the last sentence.]~~

~~Forward one (1) copy of the adopted audits to District PTA.~~

SECTION 7.

The historian shall:

a. Assemble and preserve a record of the activities, achievements and volunteer hours of the association.

b. Act as custodian of records and other materials pertinent to the history of the association.
c. Assist the president with the preparation of the association's annual report required by the California State PTA.

SECTION 8.

The parliamentarian shall:

a. Attend all meetings of the association and of the executive board and give necessary advice in parliamentary procedure when requested.

b. Call the first meeting of the nominating committee, conduct election of a chairman and give instructions in procedure, and may be contacted for additional information, if needed; and shall attend meetings of the nominating committee only if elected to serve as a member of the committee.

c. Chair the bylaws committee and review bylaws and standing rules annually. (See Changing Bylaws, Running Your PTA section, California State PTA Toolkit.)

d. Be entitled to all rights and privileges of membership including the right to make motions, debate and vote.

SECTION 9.

Two copies of officers' reports shall be compiled annually by all officers and filed in the procedure book for the incoming officer, and filed with the president ~~[president or historian]~~.

★★SECTION 10.

(Consult with the council, if in council, and district PTA prior to beginning this process.)
When an officer fails to attend three (3) consecutive meetings without adequate excuse or when an officer is not fulfilling the responsibilities of the office as prescribed in the bylaws or standing rules, or engages in conduct which the unit executive board determines to be injurious to the organization or its purposes, the unit executive board may by a two-thirds (2/3) affirmative vote, take such action as it determines appropriate, which may include asking for the resignation of the officer. The officer, however, cannot be removed from office, unless the unit first conducts a hearing as authorized by the council ~~/ district [choose one]~~ PTA. If removing the officer from office is a consideration, the executive board must make a formal request through channels to the council ~~/ district [choose one]~~ PTA to determine whether a hearing should be conducted to remove the officer from office before proceeding with any action. If the council ~~/ district [choose one]~~ hearing panel determines, by a two-thirds (2/3) affirmative vote, that it is in the best interest of the unit to conduct a hearing, the unit executive board shall follow the Notice and Hearing Procedures set forth below.

Notice and Hearing Procedures: Following the two-thirds (2/3) affirmative vote by the council / ~~district [choose one]~~ PTA hearing panel recommending that the unit executive board conduct a hearing: 1) The unit PTA executive board must give the officer fifteen (15) days' written notice of the hearing to remove the officer from office; 2) The written notice shall contain the reasons for the proposed removal, and shall be mailed by certified mail, return receipt requested, to the last address of the officer shown on the association's records. The fifteen (15) day notice period shall commence when the

written notice is deposited in the mail; 3) The hearing shall be before a panel composed of at least a majority of the unit's executive board, as so designated by the unit's executive board. At the unit hearing, the officer, or the officer's representative, must be given an opportunity to address the unit hearing panel, either orally or in writing. At the hearing, the officer shall be permitted to offer written evidence, written witness statements and testimony by a reasonable number of witnesses. The hearing panel may make a recording of the hearing.; 4) At the close of the hearing, the unit hearing panel shall make a recommendation to the unit executive board regarding whether or not the officer should be removed from office. If the unit hearing panel recommends removal from office, the unit executive board shall convene not less than five (5) days following the unit hearing and vote whether the officer will be removed from office; 5) A two-thirds (2/3) vote of the unit executive board shall be sufficient to remove the officer from office; 6) The removal vote shall be recorded in the unit executive board minutes and shall specify the number of members voting in favor of and against such removal; The unit executive board shall mail notice of the removal to the officer by certified mail, return receipt requested, to the last address of the officer shown on the association's records. The removal shall be effective immediately upon deposit of the written notice in the mail. A removed officer may submit a grievance with the State PTA according to its grievance procedures, but such submittal shall not stay the removal.; 7) The council, if in council, and/ district PTA shall be notified in writing of the action taken by the unit executive board.

SECTION 11.

All officers shall perform the duties prescribed in the current edition of **ROBERT'S RULES OF ORDER NEWLY REVISED** in addition to those outlined in these bylaws and those assigned from time to time. Upon the expiration of the term of office or in case of resignation or termination, each officer shall turn over to the president, without delay, all records, books and other material pertaining to the office and shall return to the treasurer, without delay, all funds belonging to the association.

ARTICLE VII – ASSOCIATION MEETINGS

★★SECTION 1.

Association meetings are meetings of the general membership and shall be held on the third Wednesday ~~[insert week and day in the month, e.g., second Tuesday]~~ of September, October, November, January, February, March, April, ~~,~~ ~~,~~ ~~,~~ ~~,~~ and May of the school year unless otherwise ordered by the association or the executive board. With the exception of the annual meeting, notice of any change in time or date of regularly scheduled meetings must be given in writing to the entire membership at least ten (10) days in advance. Whenever members are required or permitted to take any action at a meeting, a written notice of the meeting shall be given not less than 10 days nor more than 90 days before the date of the meeting to each member who, on the record date for the notice of the meeting, is entitled to vote at such meeting. (Note: If notice is provided by mail and the notice is not mailed by first-class, registered, or certified mail, such notice shall be given not less than 20 days before the meeting.) The notice shall contain the place, date and time of the meeting and the general nature of the business that the board, at the time of the notice, intends to present for action by the members, but any proper matter may be presented at the meeting for action.

Whenever a members' meeting is adjourned to another time or place, notice need not be given of the adjourned meeting if the time and place thereof are announced at the meeting at which the adjournment is taken. No meeting may be adjourned for more than 45 days. At the adjourned meeting the association may transact business which might have been transacted at the original meeting.

★★SECTION 2.

The association meeting in March ~~[month]~~ shall be the annual election meeting at which time officers shall be elected. At least thiry (30) days prior written notice of the annual election meeting must be given.

SECTION 3.

The year's proposed program and budget, which includes all programs, projects and expenditures, require approval by the membership. The year's proposed programs and budget shall be presented to the association for approval at the first association meeting of the year. The association shall not assume financial obligation in any one term of office that will be carried over into the succeeding term. All approved programs, projects and expenditures MUST be recorded in the association minutes, the legal record of this association. (See Guide to Executive Leadership - President, Running Your PTA section; and Approving the Budget, Fiduciary Responsibilities, and Contracts, Finance section; California State PTA Toolkit.)

★★SECTION 4.

a. Special meetings may be called by the president.

b. The president must call a special meeting upon the written request of two (2) ~~[number]~~ member(s) of the executive board. Special meetings requested by the executive board must be held within fourteen (14) days of receipt of the written request.

c. All association members must be notified of any special meetings at least ten (10) days prior to the meeting. Only business mentioned in the notice of a special meeting can be transacted at that meeting.

d. Upon request in writing for a special meeting by five (5) percent or more of the members, the president shall, within 20 days of receipt of such request, cause notice to be given to the members entitled to vote that a meeting will be held at a time fixed by the executive board, not less than 35 nor more than 90 days after the receipt of the request.

e. The notice shall contain the place, date and time of the meeting and the general nature of the business that the board, at the time of the notice, intends to present for action by the members and no other business may be transacted.

SECTION 5.

***a. This association shall establish a quorum for the transaction of business in any meeting of this association.

**b. Eleven (11) ~~[number]~~ member(s) shall constitute a quorum. If this bylaw provision authorizes a quorum of less than one-third of the voting power, then only those matters the general nature of which was contained in the notice of the meeting may be voted upon at such meeting. (See p. iii for quorum instructions.)

★★★SECTION 6.

The privilege of making motions, debating and voting shall be limited to members of the association who are present and whose dues are paid and who have been members of the association for at least the previous thirty (30) days.

★★★SECTION 7.

Voting by proxy is PROHIBITED.

ARTICLE VIII – EXECUTIVE BOARD

SECTION 1.

The executive board shall consist of officers of the association, the chairmen of standing committees, the teacher representative and the principal of the school, or a representative appointed by the principal, all of whom shall be members of this association. The principal of the school or designated representative and the teacher representative, although not elected officers, serve in an advisory capacity with full voting privileges.

SECTION 2.

The executive board shall:

a. Transact necessary business between meetings of the association and such other business as may be referred by the association.

b. Authorize the payment of association bills within the limits of the budget adopted by the association. Such action must be ratified at the next association meeting and must be recorded in the association minutes.

c. Authorize the payment of other unbudgeted association bills not to exceed a cumulative total of one hundred dollars ($ 100.00) between meetings of the association. Ratification of payment of these bills must occur at the next association meeting and must be recorded in the association minutes. (See Authorization Procedure, Finance section, California State PTA Toolkit.)

d. Receive a written financial report from the treasurer ~~and financial secretary~~ at each executive board and association meeting. (See Financial Officers' Reports and Forms, Finance section, California Stat PTA Toolkit.)

e. Create committees as are deemed necessary to promote the purposes and to carry on the work of the association, the California State PTA and the National PTA. The executive board may grant such committees the authority of the board, except with respect to:

(1) The approval of any action for which the approval of the members or a majority of the members is required;

(2) The filling of vacancies on the executive board or in any committee which has the authority of the executive board;

(3) The amendment or repeal of bylaws or the adoption of new bylaws;
(4) The amendment or repeal of any motion of the board which by its express terms is not so amendable or repealable;

(5) The appointment of committees of the board or members thereof;

(6) The approval of any self-dealing transaction.

f. Fill all vacancies in office, including that of president. (Refer to Article V, Section 11 (p. 6).)

g. Present a report at meetings of the association.

~~[Associations that are not incorporated should line out the following.]~~

h. ~~Act as the Board of Directors of the corporation, as defined by the California Corporations Code.~~

h. Appoint an auditor, to be ratified by the association at the September ~~[month]~~ meeting. The auditor shall not be an officer of the association or a member of the executive board.

SECTION 3.

The executive board is subject to the orders of the association and none of its acts shall conflict with action taken by the association.

★★★SECTION 4.

An association member shall not serve as a voting member of this executive board while serving as a paid employee of or under contract to this association.

SECTION 5.

The executive board shall meet at least once a month during the school year and a minimum of fourteen (14) days prior to association meetings, unless otherwise ordered by the executive board. No later than the first month of the school year, the executive board shall schedule the day and week and place for the monthly executive board meetings. (See Executive Board, Running Your PTA section, California State PTA Toolkit.)

SECTION 6.

Special meetings of the executive board may be called by the president. The president must call a special meeting upon the written request of two (2) ~~[number]~~ member(s). Special meetings must be held within fourteen (14) days of receipt of a written request. All executive board members must be notified of special meetings at least seven (7) days prior to the meeting. Only business mentioned in the notice of a special meeting can be transacted at that meeting.

SECTION 7.

***a. This association shall establish a quorum for the transaction of business in any meeting of the executive board.

**b. Five (5) ~~[number]~~ member(s) shall constitute a quorum. (See p. iii for quorum instructions.)

★★★SECTION 8.

Voting by proxy is PROHIBITED.

ARTICLE IX – COMMITTEES

SECTION 1.

There shall be such committees created by the executive board as may be required to carry on the work of the association, the California State PTA and the National PTA. The quorum for a committee meeting shall be a majority of its members. The authority of such committees shall be subject to the limitations listed above in Article VIII, Section 2e (p. 15).

SECTION 2.

Chairmen and members of committees, all of whom shall be members of this association, shall be appointed by the president subject to the ratification of the executive board. (See Committee Member Selection, Running Your PTA section, California State PTA Toolkit.)

SECTION 3.

The term of office for chairmen shall be one year or until successors have been appointed. A chairman may serve an additional term if appointed by the president, approved by the executive board and ratified by the association. No chairman shall be eligible to the same chairmanship for more than two consecutive terms.

SECTION 4.

The chairmen shall present plans of work to the executive board for approval. No work shall be undertaken without the consent of the executive board. (See Committee Development and Guidelines, Running Your PTA section, California State PTA Toolkit.)

SECTION 5.

Two copies of chairmen's reports shall be compiled annually by all chairmen and filed in the procedure book for the committee, and filed with the president ~~[president or historian]~~.

★★SECTION 6.

(Consult with the council, if in council, and district PTA prior to beginning this process.)

When a chairman fails to attend three (3) consecutive meetings without adequate excuse or when a chairman is not fulfilling the responsibilities of the office as prescribed in the bylaws or standing rules, or engages in conduct which the unit executive board determines to be injurious to the organization or its purposes, the unit executive board may, by a two-thirds (2/3) affirmative vote, take such action as it determines appropriate, which may include asking for the resignation of the chairman. The chairman, however, cannot be removed from office, unless the unit first conducts a hearing as authorized by the council / ~~district [choose one]~~ PTA. If removing the chairman from office is a consideration, the unit executive board must make a formal request through channels to the council / ~~district [choose one]~~ PTA to determine whether a hearing should be conducted to remove the chairman from office before proceeding with any action. If the council / ~~district [choose one]~~ hearing panel determines, by a two-thirds (2/3) affirmative vote, that it is in the best interest of the unit to conduct a hearing, the unit executive board shall follow the Notice and Hearing Procedures set forth below.

Notice and Hearing Procedures: Following the two-thirds (2/3) affirmative vote by the council / ~~district [choose one]~~ PTA hearing panel recommending that the unit executive board conduct a hearing: 1) The unit PTA executive board must give the chairman fifteen (15) days' written notice of the hearing by the executive board to remove the chairman from office; 2) The written notice shall contain the reasons for the proposed removal, and shall be mailed by certified mail, return receipt requested, to the last address of the chairman shown on the association's records. The fifteen (15) day notice period shall commence when the written notice is deposited in the mail; 3) The hearing shall be before a panel composed of at least a majority of the unit's executive board, as so designated by the unit's executive board. At the unit hearing, the chairman, or the chairman's representative, must be given an opportunity to address the unit hearing panel, either orally or in writing. At the hearing, the chairman shall be permitted to offer written evidence, written witness statements and testimony by a reasonable number of witnesses. The hearing panel may make a recording of the hearing; 4) At the close of the hearing, the unit hearing panel shall make a recommendation to the unit executive board regarding whether or not the chairman should be removed from office. If the unit hearing panel recommends removal from office, the unit executive board shall convene not less than five (5) days following the unit hearing and vote whether the chairman will be removed from office; 5) A two-thirds (2/3) vote of the unit executive board shall be sufficient to remove the chairman from office; 6) The removal vote shall be recorded in the unit executive board minutes and shall specify the number of members voting in favor of and against such removal. The unit executive board shall mail notice of the removal to the chairman by certified mail, return receipt requested, to the last address of the chairman shows on the association's records. The removal shall be effective immediately upon deposit of the written notice in the mail. A removed chairman may submit a grievance with the State PTA according to its grievance procedures, but such submittal shall not stay the removal; 7) The council, if in council, and district PTA shall be notified in writing of the action taken by the unit executive board.

SECTION 7.

Each chairman, upon his expiration of the term of office or in case of resignation or termination, shall turn over to the president without delay, all records, books and other material pertaining to the chairmanship, and shall return to the treasurer, without delay, all funds belonging to the association.

SECTION 8.

The association and the executive board each have the power to create special committees in order to carry out specific programs and projects, subject to the limitations listed in Article VIII, Section 2e (p. 15).

SECTION 9.

The chairmen and members of special committees shall serve until their assignments have been completed.

ARTICLE X – COUNCIL MEMBERSHIP

~~[Applies only to associations holding membership in a council of PTAs]~~

SECTION 1.

a. This association shall be represented in meetings of the Milpitas Unified Council of Parent-Teacher Associations by its president or alternate, the principal or alternate, and by one (1) ~~[number]~~ delegate(s) or alternate(s) selected by the association prior to the first meeting of the council, except at the election of council officers when an alternate delegate system outlined in Article V, Section 2 of Council Bylaws shall be used (MUST CORRESPOND WITH COUNCIL BYLAWS).

b. Such delegate(s) and their alternate(s) shall be appointed ~~[state method, elected or appointed]~~ by the association in September ~~[month; must agree with Article VII, Section 1 (p. 13)]~~.

c. Such delegate(s) to the Milpitas Unified Council of Parent-Teacher Associations shall serve for a term of one (1) year(s).

d. The president or alternate and ~~elected~~/appointed delegates shall present a report to the executive board after each council meeting.

SECTION 2.

For the election of council officers this association, if in good standing, shall be entitled to be represented by the president or his alternate and by one (1) ~~[number]~~ delegate(s) for every ten (10) ~~[number]~~ member(s) or fraction thereof. (MUST CORRESPOND WITH COUNCIL BYLAWS, ARTICLE V, SECTION 2.) Delegate(s) shall be appointed ~~[state method, elected or appointed]~~ at an association meeting at least 30 days prior to the council election meeting.

SECTION 3.

This association shall pay annual dues of ~~dollar(s) and~~ twenty-five cents ($ 0.25) per capita to the Milpitas Unified Council of Parent-Teacher Associations. (MUST CORRESPOND WITH COUNCIL BYLAWS and Article IV, Section 4d (p. 3).)

ARTICLE XI – CHARTER PROCEDURE

★★★SECTION 1.

Local PTAs shall be organized and chartered under the authority of the California State PTA in the area in which this association functions, in conformity with such rules and regulations, not in conflict with the National PTA Bylaws, as the California State PTA may in its bylaws prescribe. The California State PTA shall issue to each local association in its area an appropriate charter evidencing the organization is in good standing.

A local association in good standing is one which:

a. Adheres to the purposes and basic policies of the PTA;

b. Remits the national portion of the dues through the California State PTA to reach the national office by dates designated by the National PTA;

c. Has bylaws approved according to the procedures of the California State PTA; and

d. Meets other criteria as may be prescribed by the California State PTA.

★★★SECTION 2.

A local association in good standing in California is one which also:

a. Pays dues to and actively supports all branches of the National and California State PTA;

b. Pays insurance premiums to the California State PTA;

c. Is composed of not less than fifteen (15) members of whom at least three (3) shall serve in the offices of president, secretary and treasurer, respectively; and

d. Complies with the legal filling requirements of state and federal government agencies.

★★★SECTION 3.

This association shall receive a charter as a constituent organization of the National PTA:

a. After its bylaws have been approved by the California State PTA parliamentarian,

b. After the California State PTA office has received the "Application for Acceptance As A Unit of the California State PTA" with the charter membership dues;

c. After an application for an Employer Identification Number (EIN) as a "subordinate" (constituent organization) (exempt letter dated November 18, 1943) under the name "PTA California Congress of Parents, Teachers, and Students, Inc.," has been submitted to the Internal Revenue Service; and

d. Upon a majority vote of the California State PTA Board of Managers.

★★★SECTION 4.

The charter of this association shall be subject to withdrawal and the status of such organization as a PTA/PTSA shall be subject to termination by a two-thirds (2/3) vote of the Board of Managers, in the manner and under the circumstances provided in the bylaws of the California State PTA.

★★★SECTION 5.

This association is obligated, upon withdrawal of its charter by the California State PTA:

a. To yield up and surrender all of its books and records and all of its assets and property to the California State PTA or to another PTA or PTSA organized under the authority of the California State PTA;

b. To cease and desist from further use of any name that implies or connotes association with the National PTA or the California State PTA or status as a constituent organization of the National PTA; and

c. To carry out promptly, under the supervision and direction of the California State PTA, all proceedings necessary or desirable for the purpose of dissolving this association.

★★★SECTION 6.

Upon the withdrawal of this association's charter, the California State PTA shall have the right to collect and transfer any funds, including funds deposited by the association with a financial institution, over which the association or its officers have or had signature authority or control. (See

Changes in Association Status, "Charter Withdrawal," Know Your PTA section, California State PTA Toolkit.)

★★★SECTION 7.

Each local association shall, upon withdrawal of its charter by the California State PTA immediately cease and desist from any further use of the association's Internal Revenue Service Employer Identification Number (EIN) as a constituent organization under the group exemption number issued to the California State PTA.

SECTION 8.

THE COUNCIL AND DISTRICT SHALL BE CONSULTED AT LEAST SIXTY (60) DAYS PRIOR TO ANY VOTE BEING TAKEN TO DISBAND THIS association. (See Changes in Association Status, "Charter Withdrawal," Know Your PTA section, California State PTA Toolkit.)

ARTICLE XII – RELATIONSHIP WITH NATIONAL PTA AND CALIFORNIA STATE PTA

★★★SECTION 1.

The bylaws of this association shall not be in conflict with the bylaws of the National PTA or with those of the California State PTA. These bylaws shall be approved by the California State PTA parliamentarian when this association is organized and when there is a change in its association status.

★★★SECTION 2.

This association shall include in its bylaws provisions corresponding to the provisions of the bylaws of the California State PTA identified by a triple star.

SECTION 3.

The California State PTA Toolkit published by the California State PTA contains policy statements of the PTA not found in the bylaws or standing rules. As a local association of the California State PTA, this association is obligated to follow those policy statements.

***ARTICLE XIII – ARTICLES OF ORGANIZATION

The "articles of organization" of this association comprise these bylaws, as from time to time amended, and the "articles of association," if any. In the absence of separate articles of association, these bylaws shall be deemed to be the articles of association. In the event of any conflict between these bylaws and the articles of association, these bylaws shall govern.

~~[Associations that are incorporated should substitute the following.]~~

~~This association is a nonprofit corporation organized under the laws of the State of California. Its "articles of organization" comprise the articles of incorporation and these bylaws as from time to time amended. In the event of any conflict between the articles of incorporation and these bylaws, the association shall take prompt action to amend the articles of incorporation to conform to the provisions of these bylaws. The articles of incorporation for the association shall be submitted to the California State PTA as part of the organizational papers and at other times as requested by the California State PTA, in accordance with Article VI, Section 12 of California State PTA Bylaws.~~

ARTICLE XIV – IDENTIFICATION NUMBERS AND FISCAL YEAR

SECTION 1.

The California State PTA Identification (ID) number for this association is

4974 ~~[number]~~

SECTION 2.

The National PTA Identification (ID) number for this association is

00032119 ~~[number]~~

SECTION 3.

The Internal Revenue Service Employer Identification Number (EIN) for this association is

320266902 ~~[number]~~

SECTION 4.

The entity number for this association assigned by the Franchise Tax Board, is

8019530 ~~[number]~~

SECTION 5.

The charitable trust number for this association, as assigned by the California State Office of the Attorney General, is

CT0188046 ~~[number]~~

~~SECTION 6.~~

~~If incorporated, the corporation number for this association, as assigned by the Secretary of State, is~~

_____ ~~[number]~~

SECTION 6.

The fiscal year of this association shall begin July 1 ~~[month and day]~~ and end June 30 ~~[month and day]~~ (Once a fiscal year has been established and on file with the Internal Revenue Service, consult the California State PTA treasurer for the procedure required to change the fiscal year.)

***ARTICLE XV – PARLIAMENTARY AUTHORITY

The rules contained in the current edition of **ROBERT'S RULES OF ORDER NEWLY REVISED** shall govern the National PTA and this association in all cases in which they are applicable and in which they are not in conflict with these bylaws, those of the California State PTA, the National PTA, the articles of incorporation and the California Nonprofit Corporation Law.

ARTICLE XVI – AMENDMENTS

★★★SECTION 1.

Bylaws for this association shall be reviewed annually and updated at least every three years by the bylaws committee of this association.

★★★SECTION 2.

Before adoption, all proposed amendments accompanied by the bylaws shall be submitted through channels to the California State PTA parliamentarian for approval. They also shall be approved by the California State PTA parliamentarian when there is a change of status (e.g., PTA changing to PTSA or when combining/dividing).

SECTION 3.

After the California State PTA parliamentarian has approved and signed amended bylaws, the process of adoption by the association must be completed. The association shall by a two-thirds (2/3) vote adopt amended bylaws at any association meeting provided written notice of the meeting was given at least 30 days prior to the date of the meeting to each member who, on the record date for the notice of the meeting, is entitled to vote at such meeting. (Note: If notice is provided by mail and the notice is not mailed by first-class, registered, or certified mail, such notice shall be given not less than 20 days before the meeting.) The notice shall contain the place, date and time of the meeting and the general nature of the business that the board, at the time of the notice, intends to present for action by the members, but any proper matter may be presented at the meeting for action.

★★★SECTION 4.

The adoption of an amendment to any provision of the bylaws of the California State PTA identified by a triple star (***) shall serve automatically and without the requirement of further action by this association to amend correspondingly the bylaws of this association. Notwithstanding the automatic character of the amending process, this association shall promptly incorporate such amendments in its bylaws.

★★★SECTION 5.

The adoption of an amendment to any provision of the bylaws required by California Corporations Code and identified by a double star (**) by the California State PTA shall serve automatically and without the requirement of further action by this association to amend correspondingly the bylaws of this association. Notwithstanding the automatic character of the amending process, this association shall promptly incorporate such amendments in its bylaws.

BYLAWS OF: Milpitas High School PTSA
(Full Legal Name of Association)

Milpitas Unified Council of PTAs

Sixth District PTA

APPROVED BY:

[signature] December 4, 2018

California State PTA Parliamentarian — Date

ADOPTED BY THE ASSOCIATION:

Association Secretary — Date of Adoption by the Association

Association President

STANDING RULES

1. At the beginning of the term of office, each member of the executive board shall be given a copy of these bylaws and shall be responsible for making a thorough study of them. A copy of these bylaws shall be made available to any member of the association upon request.

2. The membership list/directory of this association shall be for the exclusive use of the organization and shall not be available for distribution or purchase by any other organization or commercial entity.

**3. At least fourteen (14) days' notice, in writing, must be given to the president in order to have an item of business or an announcement placed on the association agenda. (This allows the president time to prepare the agenda and provide written notice to the members at least ten (10) days prior to the meeting, in accordance with Article VII, Section 1 (p. 13).)

4. When a recommendation for an item of business or an announcement that has not had prior consideration by the executive board is brought to an association meeting, it shall be referred to a committee and/or the executive board for study.

5. Any non-PTA material to be distributed at an association meeting must be approved by the executive board prior to the meeting.

6. Executive board meetings shall be held on the first Wednesday ~~[insert week and day in the month, e.g., second Tuesday]~~ of each month during the school year.

7. At least twenty-four (24) hours notice, in writing, must be given to the president in order to have an item of business or an announcement placed on the executive board agenda.

8. Each officer and chairman shall be responsible for keeping an up-to-date procedure book and for turning it over to the incoming officer or chairman at the end of the term of office.

9. The president, subject to ratification of the executive board, may appoint an assistant to any of the chairmen.

10. The standing committees of this association include ~~[list all committees that function all year]~~ (see Article VIII, Section 1 (p. 15)): Fund-Raising, Publicity , Volunteers

11. ~~This Association shall pay an annual assessment fee of _____ dollar(s) and _____ cents ($_____) to the Council by _____ [insert council deadline]. Such assessment shall be voted on by units in the council at the first council association meeting each year.~~

12. The president, subject to ratification of the executive board, may appoint a webmaster to maintain the PTSA website.

NOTE: Standing rules may be adopted by a majority vote at any association meeting.* Amendments to standing rules require a two-thirds (2/3) vote without previous notice, a majority vote with such notice. Standing rules should be procedural rather than parliamentary and may not conflict with or supersede the bylaws.

*See Article VII, Section 5 (p. 14).